

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Hanaa Qasim

Plaintiff,

vs.

Kilolo Kijakazi
Commissioner of Social
Security,

Defendant.

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CIVIL ACTION
FILE NO.

C O M P L A I N T

Comes now the Plaintiff, Hana Qasim, and bringing a cause of action against the above-named Defendant, shows the Court as follows:

1.

This is an action for review of the decision of the defendant Commissioner of Social Security denying the plaintiff's entitlement to Social Security under Title II of the Social Security Act.

JURISDICTION

2.

The jurisdiction of this court is based upon the provisions of

42 U.S.C. Section 405(g) and 42 U.S.C. Section 1383(c)(3) to review the decision of the Defendant herein. This action is brought in the United States District in which the plaintiff resides.

VENUE AND PARTIES

3.

The Plaintiff is an adult citizen of the Northern District of Georgia. Plaintiff resides at 1103 To Lani Drive, Dekalb County, Stone Mountain 30083. Thus, venue is proper in this court.

4.

The defendant, Kilolo Kijakazi, is the Commissioner of the Social Security Administration and as such is responsible for the administration of the Social Security Act.

FACTS

5.

Ms. Hanaa Qasim filed applications for Supplemental Security Income under the provisions of 42 U.S.C. Section 1382, as amended, and Social Security Disability Insurance Benefits under the provisions of 42 U.S.C. Section 423, as amended, which applications were denied; thereafter, Ms. Hanaa Qasim filed for reconsideration and Defendant rendered a reconsideration decision which affirmed her initial determinations.

6.

Thereafter, Plaintiff received a hearing before an Administrative Law Judge which resulted in an Unfavorable decision dated October 26, 2022.

7.

Thereafter, Plaintiff requested the Appeals Council to review the decision of the Administrative Law Judge and on December 15, 2022, the Appeals Council rendered an unfavorable decision. Plaintiff has, therefore, fully and completely exhausted the available administrative remedies and the Appeals Council decision is the final decision of the Commissioner.

CLAIMS FOR RELIEF

8.

The finding of the Defendant that Ms. Hanaa Qasim is not disabled was not based upon substantial evidence on the record as a whole. Plaintiff is appealing the final decision of the Appeals Council in this case. Ms. Hanaa Qasim's Beneficiary Notice Control Number is 21SX149B94004.

9.

The finding of the defendant that Ms. Hanaa Qasim is not disabled is based upon errors of law, including but not limited to a failure to properly apply social security law, a failure to

properly render credible findings and a failure to render a decision based on the record as a whole.

WHEREFORE, Plaintiff respectfully requests that this court:

1. Reverse the decision of the defendant denying disability benefits pursuant to Title II of the Social Security Act, and order the immediate calculation and payment of benefits improperly withheld from the plaintiff, or, in the alternative, retain jurisdiction and vacate the decision of the defendant, remanding the matter for further administrative proceedings.
2. Award plaintiff an attorney's fee pursuant to the Equal Access to Justice Act, 28 U.S.C. Section 2412, as amended, or any successor legislation.
3. Award such other and further relief as this Court may deem just.

This the 13th day of February 2023

Respectfully Submitted,

s/ Jeffrey Flynn
Jeffrey Flynn
Attorney for Plaintiff

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